

AO 257 (Rev. 6/79)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING**OFFENSE CHARGED**

SEE ATTACHMENT

- ☐ Petty
☐ Misdemeanor
☐ Felony

PENALTY:

SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

ANT - U.S.

DONALD SNYDER

DISTRICT COURT NUMBER

CR09-01061

FILED
 OCT 29 2009
 RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND
SBA

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FEDERAL BUREAU OF INVESTIGATION

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. ATTORNEY ☐ DEFENSESHOW
DOCKET NO.☐ this prosecution relates to a pending case involving this same defendantMAGISTRATE
CASE NO.☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form JOSEPH P. RUSSONIELLO☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) JOSHUA HILL, AUSA**DEFENDANT****IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

1) ☒ If not detained give date any prior summons was served on above charges2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction☐ Federal ☐ State6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☐ NO PROCESS* ☒ WARRANTBail Amount: NO BAIL

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments:

Penalty Sheet Attachment

United States v. Donald Snyder

COUNT ONE

18 U.S.C. §§ 371 and 2251(e)

(Conspiracy to Produce Child Pornography With Intent to Transport to the United States)

Imprisonment:	Mandatory minimum 15 years; Maximum 30 years
Fine:	Maximum \$250,000
Supervised Release:	5 years
Special Assessment:	\$100

COUNT TWO

18 U.S.C. §§ 2252(a)(2) & 2252(b)(1)

(Attempted Distribution of Child Pornography)

Imprisonment:	Mandatory minimum 5 years; Maximum 20 years
Fine:	Maximum \$250,000
Supervised Release:	3 years
Special Assessment:	\$100

COUNT THREE

18 U.S.C. § 2252(a)(4)(B)

(Possession of Child Pornography)

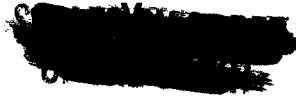
Imprisonment:	Maximum 10 years
Fine:	Maximum \$250,000
Supervised Release:	3 years
Special Assessment:	\$100

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: Oakland

UNITED STATES OF AMERICA,



DONALD SNYDER,
a/k/a "riccisdad53,"

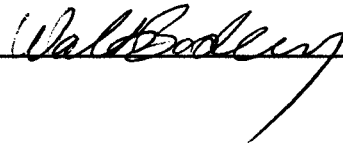
CR09-01061

DEFENDANT.

INDICTMENT

18 U.S.C. §§ 371 and 2251(e) - Conspiracy to
Produce Child Pornography; 18 U.S.C. §§
2252(a)(2) and 2252(b)(1) - Attempted
Distribution of Child Pornography; 18 U.S.C.
§ 2252(a)(4)(B) - Possession of Child
Pornography; 18 U.S.C. § 2253 - Forfeiture

A true bill.




Foreman

Filed in open court this _____ day of _____

Clerk

Bail, \$

 *Due no bail or arrest warrant*
10/29/09

FILED
OCT 29 2009
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

SBA

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

FILED

OCT 29 2009

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONALD SNYDER,
a/k/a "riccisdad53,"

Defendant.

CR09-01061 SBA

No.

VIOLATIONS: 18 U.S.C. §§ 371 and
2251(e) - Conspiracy to Produce Child
Pornography; 18 U.S.C. §§ 2252(a)(2) and
2252(b)(1) - Attempted Distribution of Child
Pornography; 18 U.S.C. § 2252(a)(4)(B) -
Possession of Child Pornography; 18 U.S.C.
§ 2253 - Forfeiture

OAKLAND VENUE

INDICTMENT

The Grand Jury charges that at all times material to this Indictment:

1. The "Internet" is a worldwide, publicly accessible series of interconnected computer networks that transmit data for the purpose of sharing information across state and international borders.

2. "Yahoo! Messenger" is an instant messaging service that allows a form of real-time communication between two or more people based on typed text, which is conveyed via devices connected over a network such as the Internet.

3. A "webcam" is a video capture device that can be used for one-to-one live video communication over the Internet. Webcams can be used in connection with instant messaging services such as Yahoo! Messenger.

INDICTMENT
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1 4. “Xoom” is an Internet-based international money transfer service.

2 5. “Yahoo! Mail” is an Internet-based email service that allows for the exchange of
3 electronic correspondence.

4 COUNT ONE: 18 U.S.C. §§ 371 and 2251(e) (Conspiracy to Produce Child Pornography With
5 Intent to Transport to the United States)

6 6. Beginning on or about February 5, 2009, through February 17, 2009, in the
7 Northern District of California, the defendant,

8 DONALD SNYDER,
9 a/k/a “riccisdad53,”

10 did knowingly and willfully conspire and agree together with an unindicted coconspirator,
11 known to the grand jury as “lexenemae_sy,” to commit the following offenses against the United
12 States:

13 a. To employ, use, persuade, induce, entice, and coerce any minor, to engage
14 in, and have a minor assist any other person to engage in, any sexually explicit conduct outside
15 of the United States, for the purpose of producing any visual depiction of such conduct, and
16 intending such visual depiction be transported to the United States, by any means, including by
17 computer and mail, all in violation of Title 18, United States Code, Sections 2251(c)(1) and
18 (c)(2)(A); and

19 b. To employ, use, persuade, induce, entice, and coerce any minor, to engage
20 in, and have a minor assist any other person to engage in, any sexually explicit conduct outside
21 of the United States, for the purpose of producing any visual depiction of such conduct, and
22 transporting such visual depiction to the United States by any means, including by computer and
23 mail, all in violation of Title 18, United States Code, Sections 2251(c)(1) and (c)(2)(B).

24 **MANNER AND MEANS OF THE CONSPIRACY**

25 7. It was part of the conspiracy that:

26 a. From on or about February 5, 2009, and continuing to February 17, 2009,
27 SNYDER and “lexenemae_sy” communicated via Yahoo! Messenger.
28

d. SNYDER and “lexenemae_sy” discussed via Yahoo! Messenger forming a business partnership whereby “lexenemae_sy” would produce visual images of minors engaging in sexually explicit conduct in the Philippines and transport the images to SNYDER in the United States.

8. In furtherance of the conspiracy and to accomplish the objects of the conspiracy, SNYDER and unindicted coconspirator “lexenemae_sy” committed various overt acts in the Northern District of California and elsewhere, including but not limited to the following:

b. On or about February 8, 2009, "lexenemae_sy" told SNYDER that she wanted to buy a digital camera. SNYDER asked "lexenemae_sy" how much a digital camera would cost in the Philippines, and "lexenemae_sy" responded \$125. SNYDER said that he would check his bank account balance to determine whether he could finance "lexenemae_sy's" purchase of a digital camera.

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1 d. On or about February 9, 2009, "lexenemae_sy" told SNYDER that she
2 had bought a digital camera.

3 e. On or about February 10, 2009, "lexenemae_sy" sent to SNYDER's
4 Yahoo! Mail account images of a minor identified as a ten year-old girl engaging in sexually
5 explicit conduct.

6 f. On or about February 11, 2009, SNYDER directed "lexenemae_sy" to
7 take additional photographs of the minor identified as a ten year-old girl. For example,
8 SNYDER told "lexenemae_sy" to "get some pic of her in the shirt and no panties and show p---y
9 in some please." SNYDER also told "lexenemae_sy" to "show her p---y up close."

10 g. On or about February 11, 2009 and February 12, 2009, "lexenemae_sy"
11 sent to SNYDER's Yahoo! Mail account additional images of the minor identified as a ten year-
12 old girl engaging in sexually explicit conduct.

13 h. On or about February 13, 2009, SNYDER directed "lexenemae_sy" to
14 take photographs of a minor identified as a seven year-old girl. For example, SNYDER said "I
15 want to see cute little p---y. an[d] some 7 alone. close of p---y." That same day,
16 "lexenemae_sy" sent to SNYDER's Yahoo! Mail account images of the minor identified as a
17 seven year-old girl engaging in sexually explicit conduct.

18 i. On or about February 13, 2009, "lexenemae_sy" told SNYDER that she
19 "hope hon u can help me to have own business." SNYDER reminded "lexenemae_sy" to "save
20 all pic on the computer . . . because u can sell."

21 All in violation of Title 18, United States Code, Sections 371 and 2251(e).

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1 COUNT TWO: 18 U.S.C. §§ 2252(a)(2) & 2252(b)(1) (Attempted Distribution of Child
2 Pornography)

3 9. On or about February 18, 2009, in the Northern District of California, the
4 defendant,

5 DONALD SNYDER,
6 a/k/a "riccisdad53,"

7 did knowingly attempt to receive and distribute any visual depiction that had been mailed and
8 shipped and transported in interstate and foreign commerce, and which contained materials
9 which had been so mailed and shipped and transported by any means, including by computer, the
10 production of which involved the use of a minor engaging in sexually explicit conduct and which
11 visual depiction was of such conduct.

12 All in violation of Title 18, United States Code, Sections 2252(a)(2) and 2252(b)(1).

13 COUNT THREE: 18 U.S.C. § 2252(a)(4)(B) (Possession of Child Pornography)

14 10. On or about February 18, 2009, in the Northern District of California, the
15 defendant,

16 DONALD SNYDER,
17 a/k/a "riccisdad53,"

18 did knowingly possess one or more matters, which contained any visual depiction that had been
19 mailed, shipped and transported in interstate and foreign commerce, and which was produced
20 using materials which had been mailed, shipped, or transported in interstate and foreign
21 commerce, by any means including by computer, the production of which involved the use of a
22 minor engaging in sexually explicit conduct, and which visual depiction was of such conduct.

23 All in violation of Title 18, United States Code, Section 2252(a)(4)(B).

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1 FORFEITURE ALLEGATION: 18 U.S.C. § 2253 -- Forfeiture

2 11. The factual allegations contained in Paragraphs 1 through 10 of this Indictment
3 are hereby re-alleged and by this reference fully incorporated herein for the purpose of alleging
4 forfeiture pursuant to Title 18, United States Code, Section 2253.

5 12. Upon conviction of the offenses alleged in Counts One, Two and Three above, the
6 defendant,

7 DONALD SNYDER,
8 a/k/a "riccisdad53,"

9 shall forfeit to the United States his interest in: (1) any visual depiction or other matter
10 containing such visual depiction or image of child pornography which was produced,
11 transported, mailed, shipped, distributed, received, or possessed as alleged in Counts One, Two
12 and Three of this Indictment; (2) any property, real or personal, constituting or traceable to gross
13 profits or other proceeds obtained from the offenses alleged in Counts One, Two and Three of
14 this Indictment; and (3) any property, real or personal, used or intended to be used to commit or
15 to promote the commission of the offenses alleged in Counts One, Two and Three of this
16 Indictment.

17 13. If, as a result of any act or omission of the defendant, any of said property

- 18 a. cannot be located upon the exercise of due diligence;
- 19 b. has been transferred or sold to, or deposited with, a third person;
- 20 c. has been placed beyond the jurisdiction of the Court;
- 21 d. has been substantially diminished in value; or
- 22 e. has been commingled with other property which cannot be divided
23 without difficulty;

24 any and all interest defendant has in any other property, up to the value of the property described
25 in paragraph 12 above, shall be forfeited to the United States pursuant to Title 21, United States

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1 Code, Section 853(p).

2 All in violation of Title 18, United States Code, Section 2253.

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4 Dated: October 29, 2009

A TRUE BILL

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FOREPERSON

7

8 JOSEPH P. RUSSONIELLO

United States Attorney

9

10



MAUREEN BESSETTE

11

Chief, Oakland Branch

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(Approved as to form: 

AUSA J. HILL

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